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August 9, 2011

Ms. Lisa Jackson
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator *Lisa* Jackson:

I am contacting you to urge your attention to the ongoing efforts to clean up the Lower Passaic River within my 10th Congressional District in New Jersey.

As you know, the Lower Passaic represents a 17-mile stretch of river from Dundee Dam in Garfield, New Jersey, to the Newark Bay. This stretch of river includes the Diamond Alkali plant which was placed on the Superfund National Priorities list in 1984 due to the presence of significant contamination from the plant at this site.

I appreciate the EPA's efforts to assess, study and work to clean up the harmful pollution that was discharged into this river however, the potential short- and long-term risks to public health and the environment demand the safe remediation of this area.

The Superfund status has also complicated the ability for the Army Corp of Engineers to perform the maintenance dredging necessary to enable commerce to continue within this area. The Lower Passaic River has long been used as a navigable waterway, particularly where the river empties into the Newark Bay. While this portion of the river is currently authorized to be dredged to a depth of 30 feet, maintenance dredging has not occurred on the river since 1983 and has resulted in river depths as shallow as 14 feet. Under these conditions, large vessels are unable to operate on the river complicating business operations for the commercial interests located here.

It is my understanding that the EPA is currently conducting a Focused Feasibility Study (FFS) to evaluate the various approaches to address the contamination within this waterway. While this report was originally scheduled for release in the spring of 2010, the EPA has since informed stakeholders that an additional year would be needed for modeling and other considerations. I am contacting you today to encourage timely release of this study so that we can continue to progress and achieve a resolution on this ongoing problem.

I also understand that it is the EPA's intent to release the FFS and allow for a comment period to enable interested stakeholders to offer input on the EPA's findings. I support the EPA's efforts to allow public feedback on its decision. However, I would similarly ask that such comment period be confined to a reasonable period of time. The issues surrounding the Lower Passaic are not new to anyone involved in this process and it is important that we do not allow further, unnecessary delays to hinder the clean-up of this area. The remediation of the Lower Passaic is a perfect example of the needs of public health and the environment being in concert with those of business and it is vital for all concerned that these issues be addressed in a timely fashion.

Thank you again for your attention to this important matter. I look forward to hearing from you on the projected timeline for the release of the FFS, the public comment period and any other steps the EPA intends to take regarding the Lower Passaic River. I would also welcome your thoughts on how I can be of assistance as the EPA continues its important work.

*Hope all is well
with you. Look forward
to seeing you soon*

Sincerely,

Donald M. Payne
Member of Congress